

PRELIMINARY AMENDMENT FOR REQUEST FOR CONTINUED EXAMINATION  
Appln. No. 09/461,822  
Amendment dated December 6, 2004  
Reply to Office Action mailed June 7, 2004

### REMARKS

Reconsideration is respectfully requested.

Claims 1 through 4, 6 through 10, 12 through 14, 16 through 20, and 22 through 27 remain in this application. Claims 5, 11, 15, and 21 have been cancelled. No claims have been withdrawn or added.

### Paragraphs 3 through 5 of the Office Action

Claims 1 through 4, 6 through 10, 12, and 23 through 27 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Levine in view of Ellis et al. (hereinafter "Ellis").

Claims 13 through 20 and 22 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Lawler et al. (hereinafter "Lawler") in view of Ellis et al. (hereinafter "Ellis").

Claim 1, particularly as amended, requires "maintaining an electronic program guide with a registry for applications to be linked with occurrence of an event in information received by the electronic program guide". The invention thus provides for a registry as part of the electronic program guide that permits the registration of applications that may be linked with the occurrence of an event, which may then cause an operation of the application to be executed when the electronic program guide detects an occurrence of the event.

It is submitted that the prior art, and particularly the Levine and Ellis patents, does not lead one of ordinary skill in the art to the combination of features of claim 1, especially the requirements set forth above.

In particular, the Office Action specifically admits that the Levine patent does not teach any "registering an application with an electronic program guide" on page 2 of the Office Action, and on page 7 it is conceded

PRELIMINARY AMENDMENT FOR REQUEST FOR CONTINUED EXAMINATION  
Appln. No. 09/461,822  
Amendment dated December 6, 2004  
Reply to Office Action mailed June 7, 2004

that the Lawler patent does not "show an apparatus further comprising means for storing registry information regarding the application". It is contended in the Office Action that "'Official Notice' is taken that both the concept and advantages of providing for storing registry information regarding the application is well known and expected in the art", but it is submitted that the registry required by the language of amended claim 1 is not "well known" in the prior art. Further, the Ellis patent does not disclose the feature as set forth in the amended language of claim 1.

Independent claims 77, 13, and 23 include similar requirements to the above-discussed requirement of claim 1, and are also submitted to be allowable over the prior art.

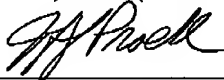
Withdrawal of the §103(a) rejections of claims 1 through 4, 6 through 10, 12 through 14, 16 through 20, and 22 through 27 is therefore respectfully requested.

### CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

GATEWAY, INC. (Customer No. 24,333)

By   
Jeffrey A. Proehl (Reg. No. 35,987)  
LEONARD & PROEHL, Prof. L.L.C.  
3500 South First Avenue Circle, Suite 250  
Sioux Falls, SD 57105-5807  
(605)339-2028 FAX (605)336-1931

Date: DEC. 6, 2004